

New Hampshire Bureau  
of Developmental Services

# Individual's Rights and Responsibilities



Community  
Respect  
Friends  
Choice  
Home  
Work

# What rights do you have?

Because you live in the United States, you are protected by the Constitution. The Constitution protects many of your rights. Some of them include the right to freedom to go to the church of your choice or not to go, or to state your opinions. You can join groups to help you understand your rights, like your local self-advocacy group.



Because you are over 18 years old, you have the right to make your own choices about your life. This may include saving and spending your money, getting married or getting a driver's license. If you have a guardian, your guardian will help you make choices. For more about guardians, see page 7.

Because you receive services from an Area Agency, you have the right to have a voice in choosing services that meet your needs.

# Rights you use every day...

- You can participate in service planning meetings, invite people important to you to come, and make choices about when and where the meeting will be held.
- You can make choices about where you live and who you live with.
- You can make choices about where you want to work.
- You can make choices about which staff and agencies you want to help you reach your goals.
- You can visit with people you choose - you can go out with your friends or on a date.
- You can speak up if your services need to be changed.
- You can make a complaint if someone hurts you or if you think someone has treated you unfairly without being afraid your staff will be mad at you.
- If you disagree with the answer to your complaint, you can appeal.

# Responsibilities of the staff and agencies working for you...

- They will treat you with dignity and respect.
- They will not make fun of you, call you names or hurt you.
- They will give you the information you need to make good choices, give you the chance to ask questions, and invite you to meetings about you.
- They will keep personal information about you private. With your approval or when necessary, information about you can be shared with other people.
- Your service coordinator will make sure you get services in your service agreement and other people working for you are doing their jobs.
- They will not stop your services unless you agree or unless you have advance notice and are told of your right to make an appeal.
- They will respond quickly to any problems, concerns or complaints you have.
- Your service coordinator will help you make your complaint to the right person and will help you file an appeal if you disagree with the agency's response.

# You and your service agreement..

- The service agreement describes the services and supports you need and the ones you will receive.
- You may call a meeting to change the agreement at any time.
- You can choose the people you want to be involved in your services including your:
  - Service coordinator
  - Home provider
  - Work or day service agency
- You can invite the people close to you to your planning meetings too.

# You also have responsibilities...

- You must respect the rights of people around you, just as you want them to respect yours.
- You need to speak up to your service coordinator about your hopes for the future and what you want and need.
- If you have questions or concerns about your rights and services, you need to ask a friend, your family members, or staff for help. If you don't get results, ask someone else.
- You must do your part to help take care of your home or apartment.
- You must pay your bills and keep your appointments.
- You must respect the rights of the people you live with. Roommates need to cooperate so that everyone's choices are respected.



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# If you have a guardian...

- Your guardian should listen to what you want and take that into consideration in making decisions for you.
- Your guardian will make some decisions for you such as where you live, what medicine you take, or what services you get.
- Your guardian has no say about some things such as how you want to wear your hair, who your friends are, or how you spend your free time.
- If you disagree with your guardian, you can write to the Probate Court and ask the Judge to look into your case.
- When you no longer need the help of a guardian, you, or a friend, or someone else you trust can ask the Probate Court to remove the guardian.



# You can plan ahead...

You can state your wishes for the care you would like in an emergency by:

- Talking to your friends and family members, or
- Signing a Living Will
- You can sign a Power of Attorney.

You can choose someone you trust to make decisions for you in the future by naming the person you prefer (or would not want) to have as your guardian.

Your service coordinator can help you plan for the future.



# If you need help you can call...

- Your service coordinator
- Your family or friends or someone else you trust
- BDS Complaint Line
  - 1-855-450-3593
- Your lawyer
- Disability Rights Center of NH
  - 1-800-834-1721
- New Hampshire Legal Assistance
  - 1-800-735-2964
- Bureau of Developmental Services
  - 1-800-852-3345 ext. 5034
- Adult Protective Services
  - 1-800-949-0470

# To learn more about your rights...

- “I Got That Right,” *Rights of Persons Receiving Developmental Services in the Community - He-M 310*
  - This State rule describes the rights of individuals who receive services from an Area Agency.
- *Rights Protection Procedures - He-M 202:*
  - This State rule describes how to make a complaint and how to appeal to the State if you disagree with the finding.
- *Americans with Disabilities Act:*
  - This Federal law prohibits discrimination against people with disabilities in employment, transportation, stores and other public places, and in government services.
- *Human Rights Law:*
  - This State law prohibits discrimination based on age, sex, race, marital status, national origin, disability or sexual orientation
- *I.D.E.A.:*
  - This Federal law ensures that children with disabilities receive a free and appropriate public education.
- *Guardianship Manual:*
  - This handbook describes the duties of guardians.
- These and other resources are available at area agency offices.